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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,764	11/03/2003	Albert Sun	MXIC 1520-1	4234

22470 7590 05/01/2006

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EXAMINER

PEERS, CHASE W

ART UNIT	PAPER NUMBER
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2186

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/699,764

Applicant(s)

SUN ET AL.

Examiner

Chase Peers

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

The examiner acknowledges the applicant's submission of the amendment dated **4/12/2006**. At this point claims have been amended and claims have been cancelled. Thus, claims are pending in the instant application.

1. ACKNOWLEDGMENT OF ISSUES RAISED BY THE APPLICANT

Response to Amendment

Applicant's arguments filed **4/12/2006** have been fully considered but they are not deemed to be persuasive and, as required by **M.P.E.P. § 707.07(f)**, a response to these arguments appears below.

a. ARGUMENTS CONCERNING FORMAL MATTERS

The applicant's traversal of the formal requirements requested by the examiner are addressed in the following section as required by **M.P.E.P. § 707.07(f)**.

2. TERMINAL DISCLAIMER

The Terminal Disclaimers for this application are found to be improper because: 1) the serial number of the application (or number of the patent) which forms the basis for the double patenting rejection is missing or incorrect. 2) 10/699,766 and 10/699756 are not mentioned in the office action.

3. ARGUMENTS CONCERNING PRIOR ART REJECTIONS

1st POINT OF ARGUMENT:

Regarding the argument that Allegrucci does not cover the configuration load function or the configuration function, the examiner respectfully disagrees. In column 2, lines 24-54, it can be seen that Allegrucci does cover the configuration function. Lines

40-42 show that the external memory holds an initialization program and lines 46-48 show the connection between the memory and the configurable logic. Column 3, lines 30-35, show the configuration load function. From the given definition of the configuration load function, these lines see on a configuration load function.

Consequently, since the examiner denies that the rejection has been traversed all claims are still listed as rejected.

2nd POINT OF ARGUMENT:

Regarding the argument that claim 17 further limits claim 1, the examiner agrees. However, the applicant has not noted that claim 17 was also rejected under Allegrucci. That rejection still stands.

4. CLOSING COMMENTS

Conclusion

5. STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. § 707.07(i):

a(1) SUBJECT MATTER CONSIDERED ALLOWABLE

There is no subject matter considered allowable by the examiner.

a(2) CLAIMS REJECTED IN THE APPLICATION

Per the instant office action, claims 1-32 have received a second action on the merits and are subject of a final action.


For at least the above reasons it is the examiner's position that the applicant's claims are not in condition for allowance.

6. DIRECTION OF ALL FUTURE REMARKS

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chase Peers whose telephone number is (571) 272-6757. The examiner can normally be reached on from Monday to Friday, 8AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


PIERRE BATAILLE
PRIMARY EXAMINER
4/25/06